

**RESOLUTION ESTABLISHING A SPECIFIC FINANCIAL HARDSHIP CRITERIA FOR
FOR THE HARVARD AVENUE SPECIAL ASSESSMENTS**

WHEREAS, on January 20, 1998 the Durham City Council adopted a standard hardship policy generally applicable to all assessments made by City Council; and

WHEREAS, on November 19, 2007 the Durham City Council ordered the making of curb, gutter, paving, and water and sewer lateral improvements on Harvard Avenue from South Benjamine Street to Miami Boulevard; and

WHEREAS, on March 19, 2012 Durham City Council adopted the preliminary assessment rolls for said improvements and filed the preliminary assessment rolls in the office of the City Clerk; and

WHEREAS, public comment on the proposed assessments was heard at the public hearing which was opened on April 2, 2012; and

WHEREAS, having heard public comment, Durham City Council directed staff to develop a specific financial hardship criteria to be applied only to the Harvard Avenue special assessments because City Council recognizes the special financial hardship posed by this assessment to the affected property owners;

NOW THEREFORE, BE IT RESOLVED BY THE DURHAM CITY COUNCIL:

SECTION I: The Harvard Avenue assessment poses a special financial hardship to the affected property owners as required by Durham City Charter Section 77(22.1).

SECTION II: Pursuant to Section 77(22.1) of the Durham City Charter, any owner of property subject to this assessment who files a Harvard Avenue Special Assessment Extended Payment Form no later than fifteen days after confirmation of the Harvard Avenue assessment roll will be permitted to pay their assessment in fifteen (15) annual installments at an annual interest rate of 3.25%. A Harvard Avenue Special Assessment Extended Payment Form filed within said fifteen days after confirmation of the assessment rolls is hereby deemed approved.